IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

WP(C).No. 15912 of 2004(T)

PETITIONER:

NEEL JOHN, S/O. P.J.JOHN,
AGED 28 YEARS, KARUKACHAL, CHANGANACHERRY,
KOTTAYAM.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

RESPONDENTS:

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1. THE REGIONAL TRANSPORT OFFICER
(TAXATION OFFICER), KOTTAYAM.

2. THE TAHSILDAR,
TALUK OFFICE, CHANGANACHERRY.

3. THE DISTRICT COLLECTOR, KOTTAYAM.

4. SUNIL K.ESHO,
ANJILITHOPPIL, PANAYAMPALA, KARUKACHAL, KOTTAYAM.

5. JOY THOMAS,
VADAKKEL HOUSE, ULLARA, KOTHAVARA, VAIKOM.

BY ADV. SHRI.K.PPRADEEP, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 15912/2004

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE AGREEMENT FOR SALE.

P2 : COPY OF THE LETTER DATED 25/08/2000.

P3 : COPY OF THE REVENUE RECOVERY NOTICE DATED 07/02/04.

P4 : COPY OF THE REQUEST.

P5 : COPY OF THE REPRESENTATION.

P6 : COPY OF THE REQUEST.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 15912 of 2004

Dated, this the 1st day of December, 2007

J U D G M E N T

The dispute raised in the writ petition is against recovery of motor vehicles tax arrears. I do not think any adjudication is called for because Section 3 authorizes recovery from the registered owner and also from the person, who is in possession and control of the vehicle. If vehicle is available, the vehicle should be sold and tax should be recovered and if not, proceed against the registered owner or the person, who is in possession and control of the vehicle, to recover the tax for the period vehicle was in his possession. This writ petition is, accordingly, disposed of directing the 2nd respondent to proceed for recovery as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg